

On August 2, 1990, Saddam Hussein invaded Kuwait and, in less than 24 hours, dominated nearly 30 percent of the world's oil supply, swiftly setting his sights on neighboring Saudi Arabia. Recognizing Saudi Arabia's importance to the region, President George Herbert Walker Bush launched Operation Desert Shield, the deployment of American combat forces to Saudi Arabia, and ordered Saddam Hussein to remove Iraqi troops from Kuwait by January 15, 1991. With Kuwait still occupied after the deadline passed, over half a million United States armed services members led coalition forces in the liberation of Kuwait—Operation Desert Storm.

Of the roughly 600,000 American troops who were deployed in both Operation Desert Shield and Desert Storm, 294 died in theater, of which 148 were killed in action. The United States currently lacks a national memorial dedicated to the valor and sacrifices made by those members of our Armed Forces who fought honorably in Operation Desert Shield and Desert Storm.

Mr. Speaker, it is important to note that no Federal funds will be spent to build this memorial. All funds will be raised privately by the National Desert Storm War Memorial Association. We must honor the men and women who fought honorably and valiantly in support of these operations and memorialize those who gave a life to free another.

The establishment of this memorial was authorized in the National Defense Authorization Act for fiscal year 2015. Passing this resolution is simply the next step in the process for site selection. The Secretary of the Interior has confirmed the historical value of the proposed memorial and deemed it worthy of being constructed in Area I of Washington, D.C., which includes the areas around other monuments to great American heroism.

In conclusion, Mr. Speaker, many of us in this Congress know many of the people who served in Desert Storm and Desert Shield, many personal friends of mine did, and many paid the ultimate sacrifice. It is time now we honor those heroes of this country.

Ms. TSONGAS. Mr. Speaker, I have no other speakers.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I urge adoption of the measure.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the joint resolution, H.J. Res. 3.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

TAXPAYERS RIGHT-TO-KNOW ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 71) to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 71

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Taxpayers Right-To-Know Act".

SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

(a) IN GENERAL.—Section 1122(a) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

“(1) DEFINITION OF PROGRAM.—For purposes of this subsection, the term ‘program’ means an organized set of activities by one or more agencies directed toward a common purpose or goal.”;

(3) in paragraph (2), as so redesignated—

(A) by striking “IN GENERAL.—Not later than October 1, 2012, the Office of Management and Budget shall” and inserting “WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall”;

(B) by striking subparagraph (C) and inserting the following:

“(C) include on the website—

“(i) a program inventory that shall identify each program of the Federal Government for which there is more than \$1,000,000 in annual budget authority, which shall include—

“(I) any activity that is commonly referred to as a program by a Federal agency in communications with Congress, including any activity identified as a program in a budget request;

“(II) any activity that is commonly referred to as a program by a Federal agency in communications with the public, including each program for which financial awards are made on a competitive basis; and

“(III) any activity referenced in law as a program after June 30, 2019; and

“(ii) for each program identified in the program inventory, the information required under paragraph (3) or paragraph (4), as applicable.”;

(4) in paragraph (3), as so redesignated—

(A) by striking “INFORMATION.—Information for each program described under paragraph (1)” and inserting “INFORMATION FOR LARGER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more than \$10,000,000 in annual budget authority”;

(B) by striking subparagraph (C);

(C) by redesignating subparagraph (B) as subparagraph (D);

(D) by striking subparagraph (A) and inserting the following:

“(A) an identification of the program activities that are aggregated, disaggregated, or consolidated as part of identifying programs;

“(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

“(C) an estimate of the amount of funding for the program”;

(E) in subparagraph (D), as so redesignated, by striking “and” at the end; and

(F) by adding at the end the following:

“(E) an identification of the statutes that authorize the program and any major regulations specific to the program;

“(F) for any program that provides grants or other financial assistance to individuals or entities, for the most recent fiscal year—

“(i) a description of the individuals served by the program and beneficiaries who received financial assistance under the program, including an estimate of the number of individuals and beneficiaries, to the extent practicable;

“(ii) for each program for which the head of an agency determines it is not practicable to provide an estimate of the number of individuals and beneficiaries served by the program—

“(I) an explanation of why data regarding the number of such individuals and beneficiaries cannot be provided; and

“(II) a discussion of the measures that could be taken to gather the data required to provide such an estimate; and

“(iii) a description of—

“(I) the Federal employees who administer the program, including the number of full-time equivalents with a pro rata estimate for full-time equivalents associated with multiple programs; and

“(II) other individuals whose salary is paid in part or full by the Federal Government through a grant, contract, cooperative agreement, or another form of financial award or assistance who administer or assist in any way in administering the program, including the number of full-time equivalents, to the extent practicable;

“(G) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116) released during the preceding 5 years; and

“(H) to the extent practicable, financial and other information for each program activity required to be reported under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).”;

(5) by adding at the end the following:

“(4) INFORMATION FOR SMALLER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more than \$1,000,000 and not more than \$10,000,000 in annual budget authority shall, at a minimum, include—

“(A) an identification of the program activities that are aggregated, disaggregated, or consolidated as part of identifying programs;

“(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

“(C) an identification of the statutes that authorize the program and any major regulations specific to the program;

“(D) for any program that provides grants or other financial assistance to individuals or entities, a description of the individuals served by the program and beneficiaries who received financial assistance under the program for the most recent fiscal year; and

“(E) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116) released during the preceding 5 years.

“(5) ARCHIVING.—After the end of each fiscal year, the Director of the Office of Management and Budget shall archive and preserve the information included in the program inventory required under paragraph (2) relating to that fiscal year.”.

(b) EXPIRED GRANT FUNDING.—Not later than February 1 of each fiscal year, the Director of the Office of Management and Budget shall publish on a public website the total amount of undisbursed grant funding remaining in grant accounts for which the period of availability to the grantee has expired.

SEC. 3. GUIDANCE AND IMPLEMENTATION.

(a) GUIDANCE.—Not later than June 30, 2018, the Director of the Office of Management and Budget—

(1) shall prescribe guidance to implement this Act, and the amendments made by this Act;

(2) shall issue guidance to agencies to identify how the program activities used for reporting under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) are associated with programs identified in the program inventory required under section 1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a);

(3) may issue guidance to agencies to ensure that the programs identified in the program inventory required under section 1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a), are presented at a similar level of detail across agencies and are not duplicative or overlapping; and

(4) may, based on an analysis of the costs of implementation, and after submitting to Congress a notification of the action by the Director—

(A) exempt from the requirements under section 1122(a) of title 31, United States Code, an agency that—

(i) is not listed in section 901(b) of title 31, United States Code; and

(ii) for the fiscal year during which the exemption is made, has budget authority (as defined in section 3 of the Congressional Budget Act of 1974 (2 U.S.C. 622)) of not more than \$10,000,000; and

(B) extend the implementation deadline under subsection (b) by not more than 1 year.

(b) IMPLEMENTATION.—This Act, and the amendments made by this Act, shall be implemented not later than June 30, 2019.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, this is a very good bill brought to us by lead sponsor Mr. WALBERG of Michigan who has done considerable work on this not only at this point, but in Congresses of the past. We have cosponsorship from a number of people on both sides of the aisle—five members within the Over-

sight and Government Reform Committee.

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I thank the chairman for his leadership on this.

Mr. Speaker, I rise today in support of the Taxpayers Right-To-Know Act.

This bill is a bipartisan and bicameral effort to provide more information about Federal programs and their activities online. The American people deserve to know what their government does with their hard-earned dollars. The Taxpayers Right-To-Know Act will make it easier to evaluate Federal Government spending by requiring Federal agencies to identify their programs, provide basic information like what their programs do, how they perform, and how much they cost. Agencies must do a better job of managing their programs and identifying areas where taxpayer dollars are wasted.

The Government Accountability Office is tasked with reporting on duplication and continues to find new areas of duplication across the government. In 6 years, GAO has identified 250 areas and 637 corrective actions in those areas to reduce fragmentation, overlap, or duplication or address other opportunities for financial benefits. While only 41 percent of recommended corrective actions have been taken, GAO estimates this progress will result in approximately \$125 billion in financial benefits and savings over 15 years.

While GAO's work has been invaluable, their ability to look comprehensively at the Federal Government is inherently limited because of the poor reporting by agencies about their activity. Quite simply, Mr. Speaker, without better data, billions more will be lost.

Current law, specifically the Government Performance and Results Modernization Act, requires agencies to report all their programs, their funding, and their performance information to the Office of Management and Budget. However, OMB's current inventory is incomplete and provides inconsistent information. This makes it more difficult and time consuming to identify areas of waste and inefficiency.

The Taxpayers Right-To-Know Act establishes an across-the-board definition for "program" and requires the publication of detailed information on each Federal program. This change will allow American taxpayers and Federal watchdogs to better evaluate the effectiveness and utility of government programs.

The Taxpayers Right-To-Know Act, Mr. Speaker, is an important and necessary step forward for the government in providing programs that are accountable, effective, and efficient.

Mr. Speaker, I thank Senator LANKFORD for his work on the Senate companion bill in the last Congress, which will be reintroduced in future weeks. I also thank Representative

COOPER of Tennessee for his continued bipartisan support and cosponsorship on this issue.

I urge my colleagues to support this legislation.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

The Taxpayers Right-To-Know Act builds upon two existing laws that came through the Oversight and Government Reform Committee: the Government Performance and Results Modernization Act of 2010 and the DATA Act, which was signed into law in 2014.

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The Obama administration launched the performance.gov Web site to implement the GPRA Modernization Act, and this bill would enhance the information available through that Web site.

The bill would require the Office of Management and Budget to make available on a central Web site an inventory of all Federal agency programs that have a budget authority of more than \$1 million.

I thank Representative WALBERG for making changes to help address those concerns in the version of the bill before us today. It is important that we continue to work together to ensure the bill will work as intended.

Mr. Speaker, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, it is important the Federal Government convey to taxpayers how it is spending their hard-earned money. That is why I rise in support of H.R. 71, the Taxpayers Right-To-Know Act.

For Federal programs authorized to spend over \$1 million, this bipartisan bill would make more information available and accessible online so that taxpayers may see where their money is being spent and how the program is performing. For each Federal program meeting these requirements, the government would need to make public several key pieces of information that are of interest to many of my constituents, including funding levels for the program, Federal laws that authorize the program, regulations related to the program, the results of performance reviews that measure the program's effectiveness, and any overlap of the program with another Federal program.

Simply put, this bill would help alleviate waste and prevent taxpayer dollars from being spent on unnecessary, ineffective, or duplicative programs.

I thank Congressman TIM WALBERG and Congressman JIM COOPER for their continued leadership on this legislation.

Mr. Speaker, this bill did pass the House without any objection in the last session, and I would, once again, urge my colleagues to support this commonsense bill.

Mr. CLAY. Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself the balance of my time.

I am thankful for the good work by Mr. WALBERG and Mr. COOPER, who also serve on the Oversight and Government Reform Committee. I thank Mr. CLAY and, certainly, Mr. CUMMINGS.

In the 114th Congress, this bill was able to pass overwhelmingly in the House by a vote of 413-0—with no opposition. It is truly bipartisan and bicameral. It is a good bill. I thank Senator JAMES LANKFORD of Oklahoma for his work on the Senate side, and we do hope that it will make it swiftly through the Senate.

The Taxpayers Right-To-Know Act provides the public and Congress with increased transparency about Federal programs, including how much they cost and any benefits that they provide. It sounds like a good and worthy thing to do, and it passed the previous Congress. I urge my colleagues to vote in favor of it here in the 115th Congress, and I am glad it is one of the first things that we are doing.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 71.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2017

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 73) to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 73

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Presidential Library Donation Reform Act of 2017”.

SEC. 2. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following new subsection:

“(h) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION REPORTING REQUIREMENT.—

“(1) REPORTING REQUIREMENT.—Not later than 15 days after the end of a calendar quarter and until the end of the requirement period described in paragraph (2), each Presidential library fundraising organization shall submit to the Archivist information for that quarter in an electronic searchable and sortable format with respect to every contributor who gave the organization a contribution or contributions (whether monetary or in-kind) totaling \$200 or more for the quarterly period.

“(2) DURATION OF REPORTING REQUIREMENT.—The requirement to submit information under paragraph (1) shall continue until the later of the following occurs:

“(A) The Archivist has accepted, taken title to, or entered into an agreement to use any land or facility for the Presidential archival depository for the President for whom the Presidential library fundraising organization was established.

“(B) The President whose archives are contained in the deposit no longer holds the Office of President.

“(3) INFORMATION REQUIRED TO BE PUBLISHED.—The Archivist shall publish on the website of the National Archives and Records Administration, within 30 days after each quarterly filing, any information that is submitted under paragraph (1), without a fee or other access charge in a downloadable database.

“(4) SUBMISSION OF FALSE MATERIAL INFORMATION PROHIBITED.—

“(A) INDIVIDUAL.—

“(i) PROHIBITION.—It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(B) ORGANIZATION.—

“(i) PROHIBITION.—It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit false material information or omit material information under paragraph (1).

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(5) PROHIBITION ON CONTRIBUTION.—

“(A) IN GENERAL.—It shall be unlawful for a person to knowingly and willfully—

“(i) make a contribution described in paragraph (1) in the name of another person;

“(ii) permit his or her name to be used to effect a contribution described in paragraph (1); or

“(iii) accept a contribution described in paragraph (1) that is made by one person in the name of another person.

“(B) PENALTY.—The penalties set forth in section 309(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)) shall apply to a violation of subparagraph (A) in the same manner as if such violation were a violation of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

“(6) REGULATIONS REQUIRED.—The Archivist shall promulgate regulations for the purpose of carrying out this subsection.

“(7) DEFINITIONS.—In this subsection:

“(A) INFORMATION.—The term ‘information’ means the following:

“(i) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

“(ii) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

“(iii) If the source of such a contribution is an individual, the occupation of the individual.

“(iv) The date of each such contribution.

“(B) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION.—The term ‘Presidential library fundraising organization’ means an organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at—

“(i) a Presidential archival depository; or
“(ii) any facilities relating to a Presidential archival depository.”

(b) APPLICABILITY.—Section 2112(h) of title 44, United States Code (as added by subsection (a))—

(1) shall apply to an organization established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository before, on, or after the date of the enactment of this Act; and

(2) shall only apply with respect to contributions (whether monetary or in-kind) made after the date of the enactment of this Act.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN), who has championed this effort for quite a while. He is passionate about this, and he has poured his heart and soul into it.

Mr. DUNCAN of Tennessee. I thank the chairman for yielding to me and for his support of this legislation.

Mr. Speaker, this is very simple, bipartisan legislation that would require organizers of Presidential libraries to disclose the identities of donors and the amounts they give. It wouldn't limit any donations; it would simply require disclosure. I introduced this legislation several Congresses ago because I felt then and feel now that the public should be made aware of possible conflicts of interest that sitting Presidents can have or may have while raising funds for their libraries.

First of all, I thank Ranking Member CUMMINGS for again cosponsoring this very important legislation and making it bipartisan. The legislation is so bipartisan that, after the first time we passed the bill—and it passed 392-3—it was taken over, at my request and with my agreement, by then-Chairman Waxman, who made it his bill. We passed it once again, and we passed it in the last Congress by a simple voice vote, so there is a lot of support for this bill. In the Senate, it was introduced by Mr. CARPER and Mr. Coburn, when he was in the Senate. We need to get some